

# Town Board Minutes

April 20, 2009

Meeting No. 13

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 20<sup>th</sup> day of April 2009 at 8:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM , COUNCIL MEMBER  
DANIEL AMATURA, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** DONNA STEMPIAK, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
DAVID MARRANO, ASSESSOR  
TERRENCE McCRACKEN, GENERAL CREW CHIEF  
JOHN TROJANOWSKI, YOUTH BUREAU EXECUTIVE DIRECTOR  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

## **PERSONS ADDRESSING TOWN BOARD:**

**Osborne, Cynthia**, spoke to the Town Board on the following matter:

- parking restrictions on Country Place

**Fronczak, Mike**, spoke to the Town Board on the following matters:

- lot valuation
- Police Department grants
- drainage
- Deputy Highway Superintendent
- unregistered vehicles
- Police Building

**Korcz, Richard**, spoke to the Town Board on the following matter:

- drainage in Indian Pine Village Subdivision

**Phillips, Shirley**, spoke to the Town Board on the following matter:

- construction of Town Hall addition

**Symer, Donald**, spoke to the Town Board on the following matter:

- procedures for establishing property assessed values

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:31 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Pleasant Meadows Associates LLC for a rezone from Residential Office District to Multi-Family Residential District.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Opponent/ Comments/Questions</b>
Jeffrey Palumbo, Esq. Attorney for Pleasant Meadows Associates	Proponent
Chris Dur, Representing purchaser of property	Proponent
Mike Fronczak	Questions
Richard Korcz	Questions
Donald Symer	Questions

ON MOTION BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the public hearing was closed at 8:46 P.M.

Decision on this matter was reserved.

April 20, 2009

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
April 6, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the Town of Lancaster has determined that it was in their best  
interests of the Town to commence an Assessment Equity Program, and

**WHEREAS**, it was further determined that it was necessary to engage professional  
services to assist the Town in this program, and

**WHEREAS**, Town Assessor David Marrano disseminated Requests for Proposals  
to retain professional services, and

**WHEREAS**, the Town has received and reviewed various responses to the Request  
for Proposals and the Town Assessor David Marrano together with his staff have interviewed  
various professional consultants.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Emminger, Hyatt, Newton and Pigeon Inc. led by partners  
Joseph Emminger and Roger Pigeon be hired by the Town in connection with its 2010  
Assessment equity project subject to an anticipated contract setting forth the professional services  
provided at a cost not to exceed \$123,500, and

**BE IT FURTHER**

**RESOLVED**, that Supervisor Giza is hereby authorized and directed to execute the  
anticipated contract upon its completion.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Highway Department of the Town of Lancaster, by letter dated April 7, 2009, has requested the appointment of a seasonal employee to work in the Highway Department for the 2009 Summer season.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual be and is hereby appointed to the position of laborer, part-time seasonal for the 2009 Summer season in the Highway Department of the Town of Lancaster, and that this being a part-time position provides no health insurance, sick days, or other fringe benefits not specifically mandated for part-time seasonal employees.

<u>NAME</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Andrew Wienckowski (rehire) Lancaster, NY 14086	\$9.25 per hour	May 5, 2009

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

State of New York  
County of Erie } ss:  
Town of Lancaster

This is to certify that I, Johanna M. Coleman, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of a resolution with the original thereof filed in my office at Lancaster, New York, on the 20<sup>th</sup> day of April 2009 and that the same is a true and correct copy of said original, and of the whole thereof.

**In Witness Whereof**, I have hereunto set my hand and affixed the seal of said Town this 23<sup>rd</sup> day of April 2009.

Seal

Town Clerk and Registrar of Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Bowmansville Volunteer Fire Association, Inc., by letter dated April 14, 2009 has requested the addition of members to the roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the following additions to the membership of the Bowmansville Volunteer Fire Association:

**ADDITIONS - Probationary Active Members:**

Steven Wik	Patrick Reiner
Lancaster, New York	Lancaster, New York

**ADDITIONS - Probationary Limited Active Members:**

Brendan Romus	Andrew Neiscer	James Quigley
Lancaster, New York	Lancaster, New York	Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER AMATURA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**WHEREAS**, Christopher Leumer, 222 Enchanted Forest North, Lancaster, New York has applied for a Dumping Permit for property situated at 222 Enchanted Forest North, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and by letter dated April 16, 2009 made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Christopher Leumer, 222 Enchanted Forest North, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 222 Enchanted Forest North, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be topsoiled and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. The source of the fill will be from Forestream Village Townhouses.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009





THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster, by letter dated April 16, 2009, has requested the purchase of two (2) new 2009 Ford F150 pick-up trucks for the use of the Highway Department, and

**WHEREAS**, these trucks are available from a New York State Bid Contract # PC 62882, Group #40560 which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said trucks;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1.) The Town Board of the Town of Lancaster hereby approves the purchase of two (2) new 2009 Ford F150 pick-up trucks, from the 2009 authorized state bid contractor Fairport Ford LLC, 71 Marsh Road, East Rochester, New York 14445 as proposed by the Superintendent of Highways of the Town of Lancaster not to exceed the sum of \$28,000, which sum shall be paid with funds available in the 2009 Highway Department budget, line item 5110.0220 (Passenger Vehicles), and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 7616 to Claim No. 7847 Inclusive

Total amount hereby authorized to be paid: \$316, 930.37

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**  
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**PREVIOUSLY TABLED PERMITS:**

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
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**NEW PERMITS:**

16550	Colley's Pool Sales Inc	277 Enchanted Forest N	Er. Pool-In Grnd
16551	Bauer, Daniel	109 Hinchey Ave	Re-Roof House (V/L)
16552	Iroquois Fence Inc	14 Chicory Ln	Er. Fence
16553	Colley's Pool Sales Inc	32 Nicholas Ln	Er. Fence
16554	Colley's Pool Sales Inc	32 Nicholas Ln	Er. Pool-In Grnd
16555	Colley's Pool Sales Inc	166 Ransom Rd	Er. Fence
16556	Colley's Pool Sales Inc	166 Ransom Rd	Er. Pool-In Grnd
16557	Drewniak, Paul	122 Michael's Walk	Re-Roof House
16558	Erb Home Improvement	18 Grafton Ct	Re-Roof House
16559	Forbes Homes Inc	75 Middlebury Ln	Er. Dwlg.-Sin.
16560	David Homes Inc	73 Middlebury Ln	Er. Dwlg.-Sin.
16561	D. Allen & Sons	16 Lombardy St	Re-Roof House (V/L)
16562	City Fence	8 Quail Run Ln	Er. Fence
16563	City Fence	5321 Broadway	Er. Fence (V/L)
16564	Ryan Homes	5 Rose St	Er. Dwlg.-Sin.
16565	Decks Unlimited	184 Enchanted Forest S	Er. Deck
16566	KRC	5454 Broadway	Re-Roof House (V/L)
16567	Patio Enclosures	5176 William St	Er. Res. Add.
16568	McGuire, Thomas	21 Grant St	Er. Res. Alt. (V/L)
16569	Burke Homes	138 Slate Bottom Dr	Er. Townhouses
16570	Burke Homes	140 Slate Bottom Dr	Er. Townhouses
16571	Burke Homes	142 Slate Bottom Dr	Er. Townhouses
16572	Burke Homes	144 Slate Bottom Dr	Er. Townhouses
16573	Forbes Homes	12 Muirfield Ln	Er. Dwlg.-Sin.
16574	Forbes Homes	5 Sawgrass Ln	Er. Dwlg.-Sin.
16575	Quality Aluminum	16 Rose Hill Cir	Er. Res. Add.
16576	CVM Electric	1700 Commerce Pkwy	Install Generator (V/L)
16577	Crout, Jason	11 Court St	Er. Shed (V/L)
16578	Marrano/Marc Equity	45 Chicory Ln	Er. Dwlg.-Sin.
16579	Ryan Homes	33 St Anthony St	Er. Dwlg.-Sin.
16580	Seibold Const	308 Peppermint Rd	Re-Roof House
16581	Kerwin Contracting	3987 Walden Ave	Re-Roof House
16582	Lasky, George	15 Ann Marie Dr	Er. Fence
16583	Parker King	21 Plumb Creek Trl	Re-Roof House
16584	Superior Decks	19 Gale Dr	Er. Deck

16585	Lewandowski, Christopher	23 Rue Madeleine Way	Er. Res. Add.	
16586	Superior Decks	16 Winding Way	Er. Deck	
16587	Black Rock Roofing	10 Hunters Dr	Re-Roof House	
16588	Stockmohr Co	38 Village View	Re-Roof House	
16589	Schobert, Matthew	6 St Anthony St	Er. Fence	
16590	Reese, Richard	120 Schlemmer Rd	Er. Garage	
16591	Rawson, Norma	193 Aurora St	Re-Roof House	(V/L)
16592	Brakefield, Jerome	156 Stony Rd	Re-Roof House	
16593	Besroi Construction	39 Wren Ave	Re-Roof House	(V/L)
16594	Baumgart, Craig	163 Aurora St	Er. Fence	(V/L)
16595	Pro Line Pools	13 Winding Way	Er. Pool-Abv Grnd	
16596	Getzoni, Grant	18 Lakeside Cres	Er. Res. Add.	(V/L)
16597	Building Solutions	5230 William St	Re-Roof House	
16598	City Fence	19 Stony Brook Dr	Er. Fence	
16599	Neth & Sons	4721 Transit Rd	Re-Roof House	
16600	Sahlems	278 Warner Rd	Re-Roof House	
16601	Sahlems	100 Newberry Ln	Re-Roof House	
16606	Wesgt, Ronald	98 Stutzman Rd	Install Generator	
16607	Iroquois Fence Co	25 Chicory Ln	Er. Fence	
16608	Swank, Colin	523 Harris Hill Rd	Er. Deck	
16609	Ryan Homes	18 Rose St	Er. Dwlg.-Sin.	
16610	Ryan Homes	16 Rose St	Er. Dwlg.-Sin.	
16611	Crist Construction	755 Aurora St	Re-Roof House	
16612	Crist Construction	26 Petersbrook Cir	Re-Roof House	
16613	Marrano/Marc Equity	74 Avian Way	Er. Dwlg.-Sin.	
16614	Marrano/Marc Equity	61 Avian Way	Er. Dwlg.-Sin.	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

**SUSPENDED RESOLUTIONS:**

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolutions:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, a suspension was granted.

**SUSPENSION GRANTED.**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the Town of Lancaster seeks grant monies from the State of New York Governor's Traffic Safety Committee via the Selective Traffic Enforcement Program (STEP) to reduce unsafe driving behaviors within the Town, and

**WHEREAS**, grant monies will be used to support overtime police patrols targeting speeding and aggressive driving.

**NOW, THEREFORE BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the State of New York Governor's Traffic Safety Committee for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

**SUSPENSION GRANTED.**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the United States Department of Justice, Community Oriented Police Services Office “Secure Our Schools” program provides grants to municipal police departments to improve security at local schools, and

**WHEREAS**, the Lancaster Police Department and Lancaster Central School District have determined the installation of digital camera monitoring equipment at Lancaster High School and Lancaster Middle School would assist the Police Department in deterring inappropriate and criminal behavior on school grounds, and

**WHEREAS**, officials at St. Mary’s High School have determined that the acquisition of portable radios/walkie-talkies would aid communication between school officials, and

**WHEREAS**, grant monies are available through the Secure Our Schools program to fund fifty percent of the estimated purchase cost of such equipment, and

**WHEREAS**, the Town of Lancaster and Lancaster Central School District will enter into a Memorandum of Agreement relative the utilization of said digital camera monitoring equipment should grant monies be awarded, and

**WHEREAS**, the Town of Lancaster and St. Mary’s High School will enter into a Memorandum of Agreement relative the utilization of said communication equipment should grant monies be awarded,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that all required matching funds for the surveillance equipment shall be provided by the Lancaster Central School District and all required matching funds for the communications equipment shall be provided by St. Mary’s High School, and

**BE IT FURTHER**

**RESOLVED**, that should either the Lancaster Central School District or St. Mary’s High School decide not to proceed with their portion of the project, the grant application may still be filed to assist the other entity, and

**BE IT FURTHER**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town’s grant consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc. to be submitted for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute any and all documents pertaining to the application for and acquisition of said funding, subject to receipt of a written commitments from the Lancaster Central School District and/or St. Mary’s High School that they will provide the matching funds necessary to secure the grant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009

**SUSPENDED RESOLUTION:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has determined that it is in the best interest of the Town of Lancaster to establish the position of Deputy Highway Superintendent based upon the current circumstances;

**NOW, THEREFORE, BE IT  
RESOLVED,**

- 1) That pursuant to §32 of the Town Law, the Town Board of the Town of Lancaster does hereby establish the position of Deputy Town Superintendent of the Highways of the Town of Lancaster.
- 2) That the position of Deputy Highway Superintendent is without compensation.
- 3) This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

April 20, 2009



## COMMUNICATIONS & REPORTS

153. NYS DOT to Town Attorney -  
Notice of lead agency designation regarding Pleasant Meadows Subdivision re-zone petition for 3830, 3840, and 3860 Walden Avenue; comment noted. DISPOSITION = Received & Filed
154. Town Clerk to Town Board -  
Monthly report for March 2009. DISPOSITION = Received & Filed
155. NYS DEC to Town Attorney -  
Notice of lead agency designation regarding Pleasant Meadows Subdivision re-zone petition for 3830, 3840, and 3860 Walden Avenue; comments noted. DISPOSITION = Received & Filed
156. Village of Lancaster to Town Board -  
Minutes of meeting held March 23, 2009. DISPOSITION = Received & Filed
157. Kideney Architects to Supervisor -  
Letter of appreciation for opportunity to discuss possibility of combined facility for Town police and court. DISPOSITION = Received & Filed
158. Depew-Lancaster Boys & Girls Club, Inc. to Town Board -  
Request to hold annual 10K race on July 4, 2009 at 9:00 AM. DISPOSITION = Police Department
159. Town Attorney to Town Board -  
Notice of SEQR meeting to be held on Monday, April 20, 2009, 6:30 PM regarding re-zone of 3830, 3840, and 3860 Walden Avenue. DISPOSITION = Received & Filed
160. Town Clerk to Various News Media -  
Notice of SEQR meeting to be held on Monday, April 20, 2009, 6:30 PM regarding re-zone of 3830, 3840, and 3860 Walden Avenue. DISPOSITION = Received & Filed
161. Erie County Department of Environment & Planning to Town Attorney -  
Notice of lead agency designation regarding Pleasant Meadows Subdivision re-zone petition for 3830, 3840, and 3860 Walden Avenue: comments, concerns, and recommendations noted. DISPOSITION = Received & Filed
162. Lancaster Rural Cemetery Association to Director of Administration & Finance -  
Request for 2009 budget appropriation. DISPOSITION = Supervisor
163. Cheektowaga Town Clerk to Town Clerk -  
Notice of public hearing to be held Monday, April 20, 2009 at 6:45 PM regarding proposed local law entitled "A Local Law Relating to Zoning". DISPOSITION = Received & Filed
164. Erie County Department of Environment & Planning, Division of Sewerage Management to Supervisor -  
Transmittal of letter to Ms. Antoinette Addeo, 48 Kennedy Court, regarding sewers in the Kennedy Court area. DISPOSITION = Received & Filed
165. Ferdinand J. Ciccarelli, Attorney to Town Clerk -  
Notice of liquor license application for the swimming pool building of Lancaster Country Club, Inc. DISPOSITION = Town Clerk & Town Attorney
166. Hon. Dale M. Volker, New York Senator to Town Clerk -  
Acknowledge receipt of Town resolution to permit Office of Town Clerk to remain elected position. DISPOSITION = Received & Filed
167. Bowmansville Volunteer Fire Association to Town Clerk -  
Request for change in roster. DISPOSITION = Resolution 4/20/09
168. Neill & Strong, PLLC to Town Clerk -  
Transmittal of three proposed local laws for Town of Marilla regarding guidelines for senior housing, establishment of a senior housing district, and a zoning map change on

- Bullis Road; and a preliminary plot plan for real property at Clinton Street and Two Rod Road. DISPOSITION = Received & Filed
169. Highway Department to Town Board -  
Request resolution to purchase two pick-up trucks from state contract vendor, Fairport Ford LLC. DISPOSITION = Resolution 4/20/09
170. Code Enforcement Officer to Town Board -  
Request appointment of Beth Cook as Building and Zoning Clerk, provisionally.  
DISPOSITION = Received & Filed
171. Code Enforcement Officer and Town Engineer to Town Board -  
Recommend issuance of dumping permit to Christopher Leumer, 222 Enchanted Forest North; conditions noted. DISPOSITION = Resolution 4/20/09
172. Highway Department to Supervisor -  
Request resolution to hire summer employee. DISPOSITION = Resolution 4/20/09
173. Erie County to Supervisor, Town Clerk -  
Notice of forthcoming review regarding the Lancaster-Alden Agricultural District as required by NYS Agricultural District Law. DISPOSITION = Received & Filed

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the meeting was adjourned at 9:12 P.M. in memory of Norman J. Downey.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk